

Remarks

Claims 1-23, 26, and 27 were pending in the application. Claims 1-23, 26, and 27 were rejected. No claims were merely objected to and no claims were allowed. By the foregoing amendment, claims 11-13 are canceled, claims 1, 14, and 19 are amended, and claim 28 is added. No new matter is presented.

Response to Advisory Action

The Advisory Action of September 26, 2008 asserted that the pressure limitations “Present new and amended claims with new limitations requiring [*sic*] further consideration...” However, this was previously presented in the form of claim 27. The Office has not identified how any new issue is presented.

In the interest of advancing examination, however, Applicants have incorporated the reference to a sputter target encircling an ion flowpath mentioned in the Advisory Action and in the prior Interview Summary into the remaining independent claims.

Claim Rejections-35 U.S.C. 112

Claim 26 was rejected under 35 U.S.C. 112(1). Applicants respectfully traverse the rejection.

The Office had asserted that the specification does not support “a chamber pressure of less than 0.01 Pa.” However, this limitation appears in claim 27, not 26, and is clearly supported by the third-from-last sentence of paragraph 0053. As noted in the Interview Summary, this rejection has been withdrawn

Claim Rejections-35 U.S.C. 102

Claims 1-5, 7, 10-16, 19, 21, 22, and 26 were rejected as being anticipated by Bergmann et al. (US4992153). Applicants respectfully traverse the rejection.

Claims 1, 14, and 19 have been amended to incorporate the “encircling” element discussed in the prior Interview Summary.

Claims 1 and 27 were rejected as being anticipated by Zabinski et al. (USH001933). Applicants respectfully traverse the rejection.

The rejection is moot in view of the amendment discussed above.

Claim Rejections-35 U.S.C. 103

Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Zabinski et al. and further in view of Lederich et al. (US4415375). Applicants respectfully traverse the rejection.

In view of the foregoing amendment, the rejection is believed moot.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bergmann et al. and further in view of Ray et al. (US6986381). Applicants respectfully traverse the rejection.

In view of the foregoing amendment, the rejection is believed moot.

Claim 9 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bergmann et al. and Ray et al. and further in view of Gabriele et al. (US6875318) Applicants respectfully traverse the rejection.

In view of the foregoing amendment, the rejection is believed moot.

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bergmann et al. and further in view of Gruen (US5015493). Applicants respectfully traverse the rejection.

In view of the foregoing amendment, the rejection is believed moot.

Claims 18 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bergmann et al. and further in view of Nulman et al. (US6231725). Applicants respectfully traverse the rejection.

In view of the foregoing amendment, the rejection is believed moot.

Claim 23 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bergmann et al. and further in view of Nulman et al. Applicants respectfully traverse the rejection.

In view of the foregoing amendment, the rejection is believed moot.

Accordingly, Applicants submit that claims 1-10, 14-23, and 26-28 are in condition for

allowance. Reconsideration and further examination are requested. Please charge any fees or deficiency or credit any overpayment to our Deposit Account of record.

Respectfully submitted,

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